

# The Whale Safe Fishing Act

**Section One:** This Act may be referred to and cited as the "Massachusetts Whale Safe Fishing Act."

**Section Two: Mandate for Whale Safe Commercial Fishing**

1. Chapter 130 of the Massachusetts General Laws is amended and revised with the addition of the following text:

"Section 17B: Requirement for Whale Safe Commercial Fisheries"

"The Director of the Massachusetts Division of Marine Fisheries —

- (a) "Above any other consideration, shall not authorize and/or annually license the use of any kind of fishing gear for commercial purposes that is known to historically cause the entanglement of any whale or sea turtle."
- (b) The Secretary of the Executive Office of Environmental Affairs shall annually make a scientific determination whether any kind of fishing gear licensed by the Director is "whale safe" and will not cause the entanglement of any whale or sea turtle. The Director shall only license fishing gear that has been so determined to be "whale safe" by the Secretary.
- (c) "The Director shall not permit under any circumstance the use of any kind of gill net or any other kind of gear that basically suspends a curtain of mesh material into the marine environment to passively take fish without it being actively towed."

Whale Safe USA's Initiative Petition to Put the Whale Safe Fishing Act  
on the 2016 State-Wide Election Ballot

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